

REMARKS

In the Office Action mailed December 14, 2004, the drawings were objected to; claim 8 was rejected under 35 U.S.C. § 102(a) as being anticipated by the Applicant's Admitted Prior Art (hereinafter "APA"); claims 1-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki et al. (U.S. Patent No. 6,650,491B2; hereinafter "Suzuki") in view of the APA; claims 9-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over the APA in view of Suzuki; and claims 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of APA. The foregoing rejections and objections are respectfully traversed.

In accordance with the foregoing, FIG. 3 has been amended. None of the claims have been amended herein. Claims 1-14 are pending and under consideration.

In FIG. 1, the APA discusses an off-track retry method whereby in operation S106, a head is forced to be offset from either side of the centerline of a desired track by a predetermined distance in order to determine whether data is read correctly. That is, whether the data has been read correctly is determined based upon the result of reading data from places offset either side off the centerline of a desired track in '+' and '-' directions by a predetermined off-track amount (see paragraph [0013] of the Specification).

The present invention discusses the problems associated with the method of the APA. Specifically, the probability of reading data correctly based upon a predetermined off-track amount is low because a predetermined off-track amount can never be an optimum (see paragraph [0014] of the Specification).

The APA fails to discuss "measuring an off-track amount at a location where a read error occurs" as recited in claim 8.

Therefore, withdrawal of the rejection of claim 8 under § 102(a) is respectfully requested.

Suzuki discusses a method for recovering a read data error of recorded data in a disk device which includes determining an off-track direction, where the amplitude increases, by having the head section perform tracking at off-track positions in both sides of an on-track position (see column 4, lines 28-36). Like the APA, Suzuki also sets that head section at predetermined off-track positions.

At page 4 of the Office Action, the Examiner admits that Suzuki fails to discuss all of the features recited in claim 1. However, the Examiner asserts that the APA makes up for the deficiencies of Suzuki. The Applicants respectfully disagree based upon the reasons mentioned above.

AMENDMENTS TO THE DRAWINGS:

In the Office Action at item 1, the Examiner objected to the drawings. In order to overcome these objections, replacement sheet for FIG. 3 is submitted herewith.

Specifically, Operation S308 has been amended to recite "DETERMINE WHETHER READ DATA IS NORMAL AND WHETHER ERROR RECOVERY IS SUCCESSFUL"

Independent claim 13 recites similar limitations as recited in claim 1.

Moreover, dependent claims 2-7, 9-10, 12 and 14 recite patentably distinguishing features of their own. For example, claim 9/8 recites "measuring the off-set track amount at a location wherein a read error occurs comprises extracting read gain characteristics while varying the off-track amount, and determining an off-track direction and a degree based upon the read gain characteristics".

Withdrawal of the foregoing objections and rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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